

Remarks

Claims 1 and 11-26 were pending with the June 28, 2007 Office Action. Claims 1, 11, 16-18 and 22-26 were examined and rejected in that Office Action and claims 12-15 and 19-21 were withdrawn as being directed to a non-elected species. With this Reply, claims 1, 11 and 26 are amended to more particularly point out and distinctly claim the invention. The amendments are made without prejudice or disclaimer.

Rejection under 35 U.S.C. 102(e)

Claims 1, 11, 16-18 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Capon et al., US 2002/0034732 A1. Applicants request reconsideration and withdrawal of this rejection in light of the claim amendments and the following arguments.

The claims as amended require that the first and second cell cultures are combined before the candidate antiviral agent is added to each cell culture. Capon et al. does not disclose the combining of two cell cultures containing subgenomic viral replication systems. Since Capon et al. does not disclose every limitation in the claims, that reference does not anticipate the claims as amended. Accordingly, withdrawal of the rejection under 35 U.S.C. 102(e) is respectfully requested.

Rejection under 35 U.S.C. 103(a)

Claims 1, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Capon et al. (discussed above) and Olivo et al. (1998, Virology 75:1252-64). Applicants request reconsideration and withdrawal of this rejection in light of the claim amendments and the following arguments.

The claims as amended require that the first and second cell cultures are combined before the candidate antiviral agent is added to each cell culture. Neither Capon et al. nor Olivo et al. discloses or suggests the combining of two cell cultures containing subgenomic viral replication systems. Since the cited references do not disclose or suggest every limitation of the rejected claims, the combination of references

cannot make the rejected claims obvious under 35 U.S.C. 103(a). Withdrawal of the rejection is therefore respectfully requested.

Conclusion

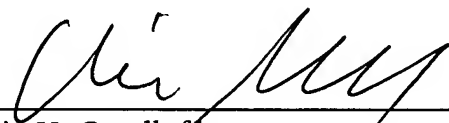
In light of the claim amendments and the above discussion, Applicants request withdrawal of all rejections and examination of withdrawn claims 12-15 and 19-21.

It is believed that no fee is required for this filing. However, if there are any unanticipated fees required to maintain pendency of this application, the PTO may withdraw those fees from Deposit Account No. 01-1785.

Respectfully submitted

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